



# PUBLIC NOTICE

US Army Corps  
of Engineers  
New York District  
Jacob K. Javits Federal Building  
New York, N.Y. 10278-0090  
ATTN: Regulatory Branch

**In replying refer to:**

Public Notice Number: **NAN-2008-01122-ESP**

Issue Date: September 30, 2008

Expiration Date: October 30, 2008

**To Whom It May Concern:**

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 404 of the Clean Water Act (33 U.S.C. 1344).

**APPLICANT:** Suffolk County Department of Public Works  
335 Yaphank Avenue  
Yaphank, NY 11980

**ACTIVITY:** Dredge with 10-years maintenance and discharge fill below the spring high tide line for beach nourishment.

**WATERWAY:** Red Creek Pond, Great Peconic Bay

**LOCATION:** Southport, Town of Southampton, Suffolk County, New York

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). A complete description of the project is given in the attached Work Description. The District Engineer has made the preliminary determination that the site-specific adverse effects are not likely to be substantial. Further consultation with NMFS regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occur. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, One Commerce Plaza, 99 Washington Avenue, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation permit

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8522 and ask for Craig Spitz.

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PUBLIC NOTICE NO. NAN-2008-01122 - ESP

For more information on New York District Corps of Engineers programs, visit our website at  
<http://www.nan.usace.army.mil>

For/   
Richard L. Tomer  
Chief, Regulatory Branch

Enclosures

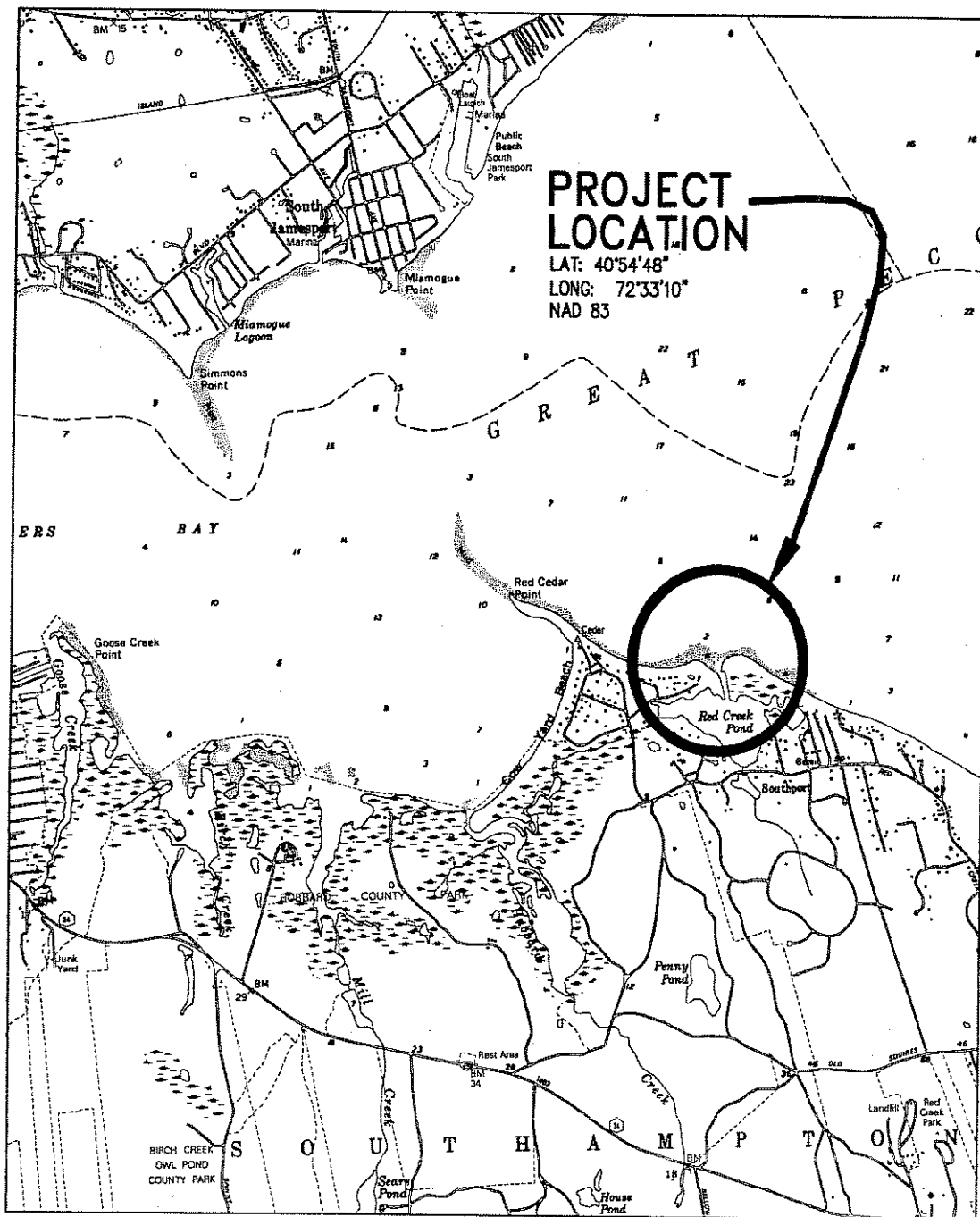
### WORK DESCRIPTION

The applicant, Suffolk County Department of Public Works, has requested Department of the Army authorization to perform dredging, with ten-years maintenance, and subsequent placement of the material as beach nourishment material. The project work site is located in Red Creek Pond, Great Peconic Bay at Southport, Town of Southampton, Suffolk County, New York.

The work would involve hydraulic dredging of approximately 5,000 cubic yards of material, which consists of approximately 78.9 % gravel, 20.9% sand and 0.2 % silt, from an approximate 100-foot-wide by 1,100-foot-long channel to a maximum project depth of 6-feet below the plane of mean low water. The dredged material would be pumped ashore onto beachfront located west of the dredging site. Approximately 3,900 cubic yards of the dredged material would be placed below the Spring High Water (SHW) line. Approximately 65,000 square feet of beach below the SHW line would be affected.

The applicant anticipates an additional 5,000 cubic yards of material would have to be dredged approximately every 2 to 3 years to maintain the channel with placement on the beach as described above.

The stated purpose of this project is to maintain safe navigation through an active channel.



## PROJECT LOCATION

LAT: 40°54'48"  
LONG: 72°33'10"  
NAD 83

SCALE 1:48,000  
PROJECT LOCATION MAP

LOCATION MAP TAKING FROM  
NYSDOT QUADRANGLE, MAP GG58

APPLICATION BY COUNTY OF SUFFOLK  
GILBERT ANDERSON, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS

NAN-2008-01122-ESP

MAINTENANCE DREDGING AT

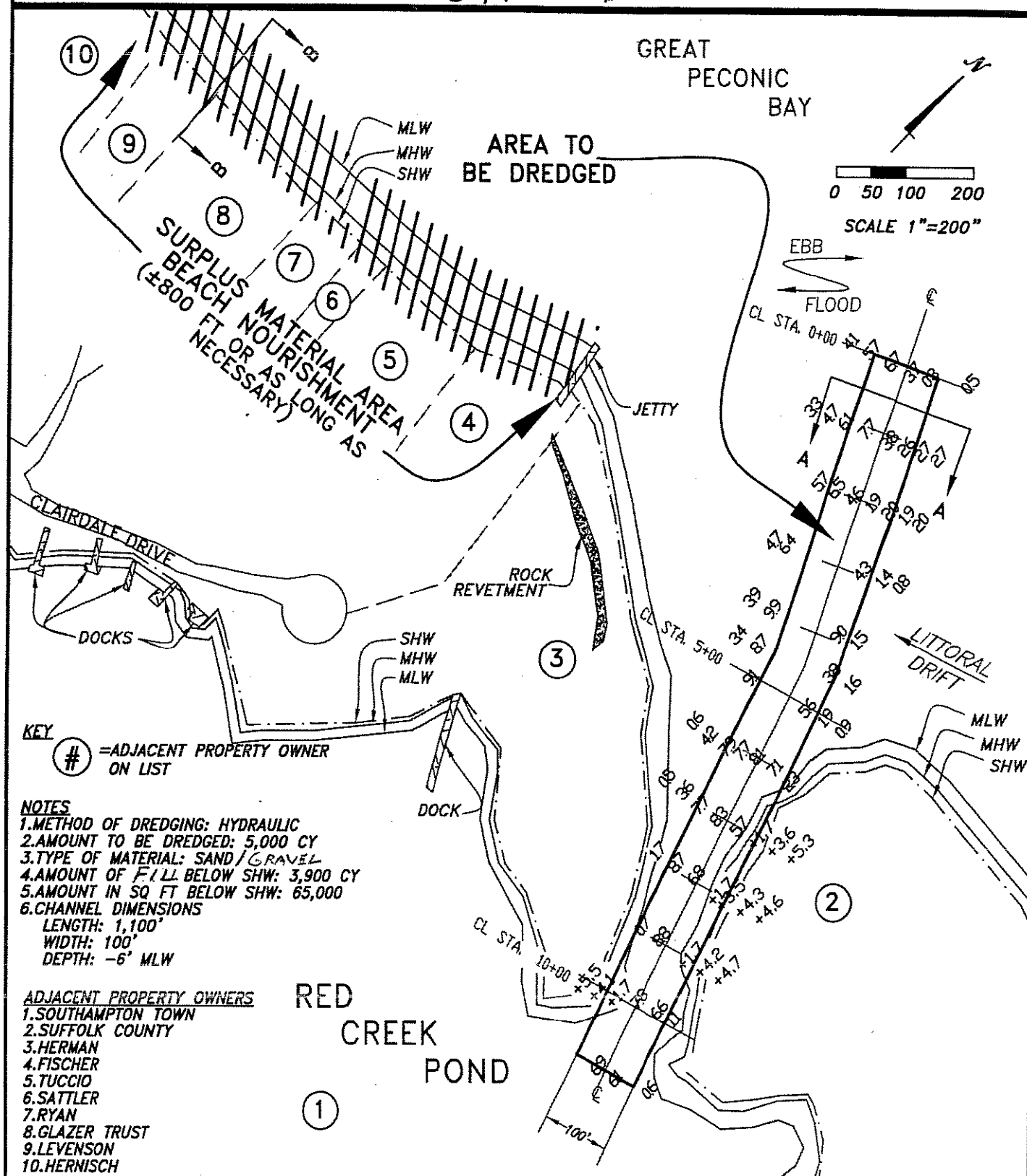
RED CREEK POND

TOWN OF SOUTHAMPTON  
SUFFOLK COUNTY, NEW YORK

DATE: JUNE 20, 2008

SHEET 1 OF 3

NAN-2008-01122-ESP



DATUM: 0.0 = 0.0 MEAN LOW WATER (MLW)  
NGVD 29

APPLICATION BY COUNTY OF SUFFOLK  
GILBERT ANDERSON, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS

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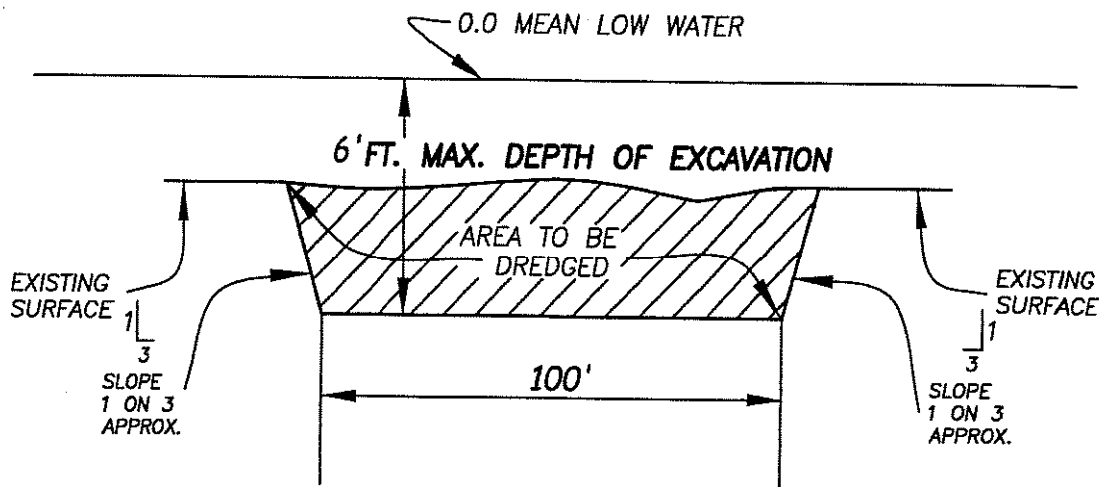
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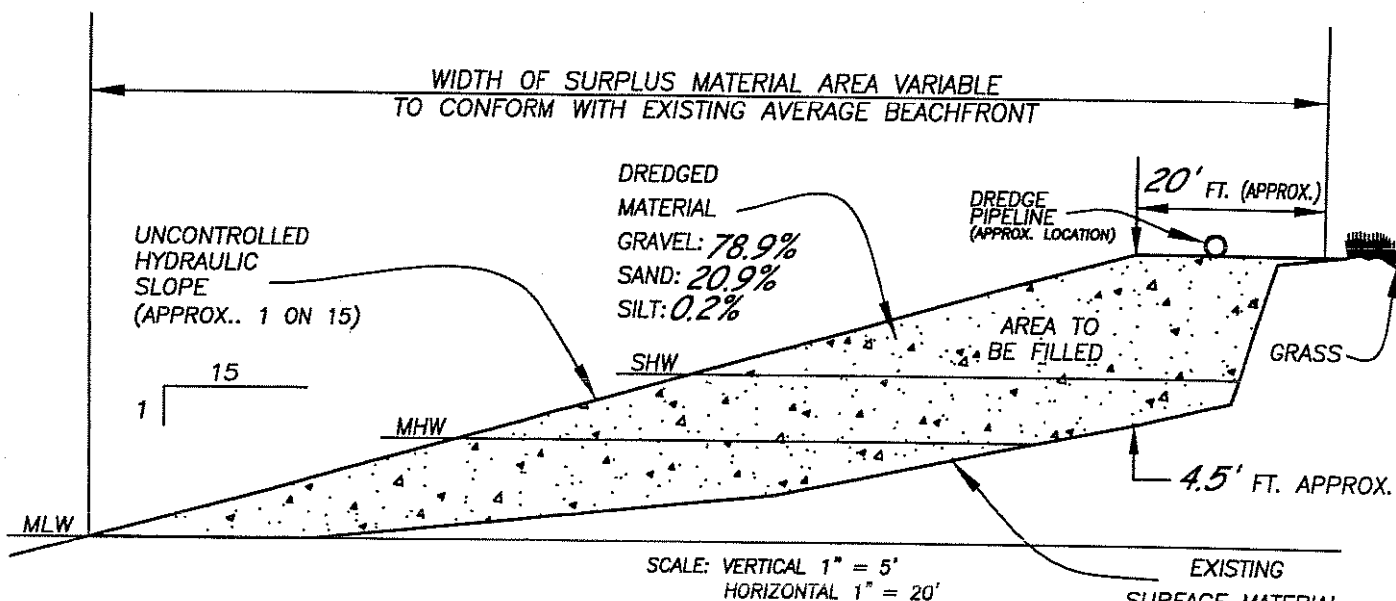
SHEET 2 OF 3

NAN-2008-01122-ESP



**TYPICAL CHANNEL SECTION A-A**

SCALE: VERTICAL 1" = 5'  
HORIZONTAL 1" = 40'



**TYPICAL SECTION B-B  
SURPLUS MATERIAL AREA  
BEACH NOURISHMENT**

**ESTIMATED TOTAL VOLUME DREDGED IN CUBIC YARDS: 5,000**

DATUM: 0.0 = 0.0 MEAN LOW WATER (MLW)  
NGVD 29

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**MAINTENANCE DREDGING AT**

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TOWN OF SOUTHAMPTON  
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SHEET 3 OF 3